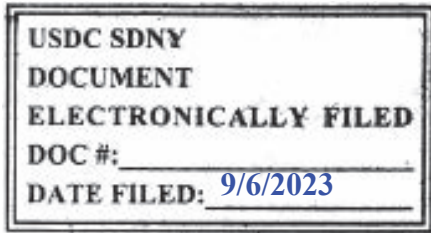




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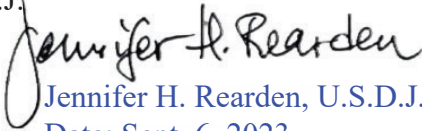
Application GRANTED. By September 12, 2023, the parties shall file a joint letter updating the Court on the status of settlement.

September 5, 2023

SO ORDERED.

VIA ECF

Hon. Jennifer H. Rearden, U.S.D.J.
Southern District of New York
500 Pearl Street
New York, New York 10007


Jennifer H. Rearden, U.S.D.J.
Date: Sept. 6, 2023

Re: Trs. of the New York City District Council of Carpenters Pension Fund, et al., v. DiMaio Millwork Corp., 22 CV 6416 (JHR) (SDA)

Dear Judge Rearden:

This firm represents the Plaintiffs in the above referenced action. We write with the consent of counsel for Defendants to request a two-week extension of the stay of this action pending the finalization of a settlement between the parties. This is the third such request for a stay. The parties sincerely appreciate the Court's courtesy in granting the parties' prior requests.

On June 23, 2023, the Court directed the parties to request to reopen this matter no later than August 22, 2023, should settlement not be consummated by that date. *See* ECF Doc. No. 53. On August 15, 2023, the parties requested that the action be stayed two-weeks, through September 5, 2023. *See* ECF Doc. No. 54. The Court granted the request for a stay of the action through September 5, 2023. *See* ECF Doc. No. 55.

As we previously advised the Court, the parties reached a tentative agreement to settle the instant matter. The tentative agreement was presented to the Plaintiffs' governing Board of Trustees at their meeting on August 24, 2023. Plaintiffs promptly provided counsel for Defendants with a draft settlement agreement memorializing the approved agreement. Under the terms of the settlement, Plaintiffs may only file a stipulation of dismissal upon receipt of the executed agreement and receipt of the settlement payment. To date, Defendant has not provided either to Plaintiffs. Accordingly, the parties respectfully request that the Court stay this action by an additional two weeks through and including September 19, 2023 in order to allow the time necessary for Defendants to comply with the terms of the settlement.



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Alternatively, should the Court not be inclined to grant the parties request for an additional stay, the parties respectfully request that the instant case be reopened and restored to the Court's docket.

We thank the Court for its time and attention to this matter.

Best regards,

/s/ Adrianna Grancio
Adrianna R. Grancio, Esq.

Cc: All Counsel of Record (*via ECF*)